



## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **IN-VIVO ENERGY DEPLETING STRATEGIES FOR KILLING DRUG-RESISTANT CANCER CELLS**

the specification of which  
(check one)

is attached hereto

was filed on December, 10 2004, as Int'l App'l No. 10/518,003 and  
amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u> <u>No</u>
PCT/US03/18716	WIPO	June 13, 2003	<input checked="" type="checkbox"/> _____
_____	_____	_____	_____
_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
10/172,346	June 13, 2002	Pending
_____	_____	_____
_____	_____	_____



Dkt. #636-C-PCT-US  
Declaration and Power of Attorney  
Page 2 of 2

I hereby appoint:

Albert Wai-Kit Chan (Reg. No. 36,479) and Mark Elkins (Patent Agent: Reg. No. 42,510)

Attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Albert Wai-Kit Chan  
Law Offices of Albert Wai-Kit Chan, LLC  
World Plaza, Suite 604  
141-07 20<sup>th</sup> Avenue  
Whitestone, NY 11357  
Tel: (718) 357-8836  
Fax: (718) 357-8615  
kitchanlaw@aol.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: MARTIN, Daniel S.

Inventor's signature: Daniel S Martin

Citizenship: United States Date of Signature: 1/12/2005

Residence: 31 Cross Pond Road, Pound Ridge, New York 10576, USA

Post Office Address: same as the residence address

1W

NY

2W

CX

3W

Full name of second joint inventor: BERTINO, Joseph R.

Inventor's signature: \_\_\_\_\_

Citizenship: United States Date of Signature: \_\_\_\_\_

Residence: 117 Sunset Hill Drive, Branford, Connecticut 06405, USA

Post Office Address: same as the residence address

Full name of third joint inventor: KOUTCHER, Jason

Inventor's signature: \_\_\_\_\_

Citizenship: United States Date of Signature: \_\_\_\_\_

Residence: 9 Brewster Terrace, New Rochelle, NY 10804, USA

Post Office Address: same as the residence address

3W

WV

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Post Office Address: same as the residence address

Full name of second joint inventor: BERTINO, Joseph R.

Inventor's signature:

Citizenship: United States Date of Signature: 1/6/05

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Full name of third joint inventor: KOUTCHER, Jason

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Post Office Address: same as the residence address

Full name of third joint inventor: KOLTCHER, Jason

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